

Shire of Perenjori

MINUTES

Ordinary Council Meeting

Held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on **15th November 2012, commenced at 7.06pm.**

Table of Contents

12111	PRELIMINARIES	3
12111.1	DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS	3
12111.2	OPENING PRAYER.....	3
12111.3	DISCLAIMER READING.....	3
12111.4	RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE	3
12111.5	PUBLIC QUESTION TIME	3
12111.6	PETITIONS / DEPUTATIONS / PRESENTATIONS.....	3
12111.7	NOTATIONS OF INTEREST	3
12111.8	APPLICATIONS FOR LEAVE OF ABSENCE	4
12111.9	CONFIRMATION OF MINUTES.....	4
12111.10	ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION	4
12111.11	MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS	4
12112	FINANCE	5
12112.1	MONTHLY STATEMENT OF FINANCIAL ACTIVITY	5
12113	HEALTH BUILDING & PLANNING.....	7
12114	COMMUNITY DEVELOPMENT.....	8
12114.1	MOUNT GIBSON PUBLIC BENEFIT TRUST FUNDING ROUND	8
12114.2	MOUNT GIBSON PUBLIC BENEFIT TRUST – DELEGATION OF POWERS. 10	
12115	PLANT & WORKS.....	12
12115.1	ROAD MAINTENANCE OCTOBER	12
12115.2	2012/13 ROAD PROGRAMME	14
12115.3	DISCUSSION AND INFORMATION.....	16
12116	GOVERNANCE.....	17
12116.1	SUPPORT FOR COLLABORATIVE ENERGY EFFICIENT FUNDING	17
12116.2	PERMISSION TO COLLECT NATIVE SEED.....	20
12116.3	NORTH MIDLANDS REGIONAL GENERAL PRACTICE MODEL	22
12116.4	APPLICATION FOR FUNDS FOR IMPLEMENTATION OF CAT ACT.....	28
12117	OTHER BUSINESS	30
12117.1	INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS.....	30
12117.2	MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN.....	30
12117.3	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN ..	30
12117.4	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION31	

MINUTES

15th November 2012

12117.4.1 MIDWEST REGIONAL COUNCIL ESTABLISHMENT AGREEMENT REVISITED.....	31
12117.4.2 EXTRACTIVE INDUSTRY LAW	36
12117.5 MATTERS BEHIND CLOSED DOORS	38
12117.5.1 CONFIDENTIAL ITEM APPOINTMENT OF ACTING CEO	38
12117.5.2 CONFIDENTIAL ITEM REIMBURSEMENT PAYMENT TO TENANT	39
12117.6 DATE OF NEXT MEETING / MEETINGS	40
12117.7 CLOSURE.....	40

12111 PRELIMINARIES

12111.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

Cr C King officially opened the meeting at 7.06pm.

12111.2 OPENING PRAYER

Cr C King led Council in the Opening Prayer.

12111.3 DISCLAIMER READING

12111.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present

Cr Chris R King
Cr Laurie C Butler
Cr Graeme K Reid
Cr Jenny H Hirsch
Cr Rodney P Desmond
Cr Lisa J Smith
Cr Harold C Wass
Cr John R Cunningham
Cr Peter J Waterhouse
Ali Mills – CEO
Barrye Thompson - Observer
Doug Stead – DCEO
Sam Parker – CDO
Ken Markham – Works Supervisor
Kim Wheeler – Executive Assistant
Carla Sanderson – Executive Assistant

Apologies

Nil

12111.5 PUBLIC QUESTION TIME

12111.6 PETITIONS / DEPUTATIONS / PRESENTATIONS

12111.7 NOTATIONS OF INTEREST

Financial Interest – Local Government Act s 5.60A

Proximity Interest – Local Government Act s 5.60B

Interest Affecting Impartiality – Shire of Perenjori Code of Conduct.

Cr C King declared an impartiality interest in item 12116.1 Support for collaborative energy efficient funding.

12111.8 APPLICATIONS FOR LEAVE OF ABSENCE

12111.9 CONFIRMATION OF MINUTES

Minutes of Ordinary Council meeting held 18th October 2012 are attached.

COUNCIL RESOLUTION

Moved: Cr L Butler

Seconded: Cr H Wass

That the minutes from ordinary council meeting held on the 18th October 2012 be accepted as a true and accurate record.

Carried 9/0

12111.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

12111.11 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS

12117.5.1 Confidential Item Appointment of Acting CEO.

12117.5.2 Confidential Item Reimbursement Payment to Tenant.

12112 FINANCE**12112.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY**

APPLICANT:	DEPUTY CEO
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	KIMBERLEY WHEELER – EXECUTIVE ASSISTANT
RESPONSIBLE OFFICER	DOUG STEAD - DCEO
REPORT DATE:	8th November 2012
ATTACHMENTS	OCTOBER FINANCIAL ACTIVITY REPORTS

Executive Summary:

As required by the Local Government Act and Financial Management Regulations a Monthly Statement of Financial Activity is required to be presented to each monthly meeting. This statement is used with Councils adopted 10% variance or \$5000 figure which was adopted by Council at its July meeting. A report detailing the variances is also included.

Other Financial statements are also attached as per the Finance Committee preferences.

Statutory Environment:	N/A
Policy Implications:	N/A
Financial Implications:	N/A
Strategic Implications:	N/A
Consultation:	N/A

UHF Haines Norton

Voting Requirements:	Simple Majority
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Officers Recommendation:**1. Statement of Financial Activity**

That the Statement of Financial Activity for the period ended 31st October 2012 including report on variances be accepted as presented.

2. Finance Report

That the Finance Report for the period ended 31st October 2012 be accepted as presented.

3. Acquisition of Assets

That the Acquisition of Assets Report for the period ended 31st October 2012 with a balance of \$629,656.00 as presented be received.

4. Reserves Report

That the Reserves Report for the period ended 31st October 2012 with a balance of \$892,144.00 as presented be received.

5. Net Current Assets

That the Net Current Assets report for the period ended 31st October 2012 with a balance of \$2,967,943.00 as presented be received.

6. Bank Reconciliation's

That the balances of the Municipal Fund of \$1,893,385.97 were not passed at the request of DCEO.

That the Trust Fund of \$44,425.37 as at 31st October 2012 as presented be received.

7. Sundry Creditors Report

That the Sundry Creditors Report for the period ended 31st October 2012 with a balance of \$17237.14 as presented be received.

8. Sundry Debtors Report

That the Sundry Debtors Report for the period ended 31st October 2012 with a balance of \$473576.50 as presented be received.

9. Accounts for Payment

That the Accounts paid from the Municipal Account consisting of Cheque Numbers 18403-18402 and EFT Numbers 3984-4106 for \$568,223.17 and the Trust Account consisting of Cheque Number 111012 for \$100.00 for the period ended 31st October 2012 as presented be accepted.

10. Rates Outstanding

That the Rates Outstanding Report for the period ended 31st October 2012 as presented be received.

COUNCIL RESOLUTION

Moved: Cr R Desmond

Seconded: Cr H Wass

That item 1-10 of the Financial Activity Report ending 31st October 2012 be accepted as a true and accurate record.

Carried 9/0

12113 HEALTH BUILDING & PLANNING

Ali Mills informed Councillors that Trevor Brandy has resigned from his position as Environmental Health Officer.

12114 COMMUNITY DEVELOPMENT**12114.1 MOUNT GIBSON PUBLIC BENEFIT TRUST FUNDING ROUND**

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM0430
DISCLOSURE OF INTEREST:	0
AUTHOR:	SAMUEL PARKER - CDO _____
RESPONSIBLE OFFICER	SAMUEL PARKER - CDO _____
REPORT DATE:	15^H NOVEMBER 2012
ATTACHMENTS	Nil

Executive Summary:

To ask Council to ratify the decision of the Mount Gibson Public Benefit Trust funding committee and support the allocation of funds.

Applicants Submission:

The Shire negotiated a \$100,000 donation per year to be distributed to community groups and projects that will provide a benefit to the Shire of Perenjori. The funding will be distributed in two \$50,000 rounds per year.

The committee, comprising of the Shire President, Community Development Officer, Community member and two Mount Gibson Mining representatives, met on the 5th November 2012 and supported the following to be funded:

Perenjori Cricket Club - \$4160

Perenjori CRC - \$30,000

Latham Bowls Club – \$2922.50

Perenjori Bowling Club - \$13,510

Teach, Learn, Grow Project - \$1500

Background:

The first meeting of the Mount Gibson Public Benefit Trust was held on Monday 5th November 2012 to discuss the merits of each application and make awards for funding. Decisions were made and now need endorsement by Council to proceed with releasing funds.

Statutory Environment:

Local Government Act 1995 Refer 5.16 – The delegation of some powers and duties to certain committees

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

Applicants, committee members of the Mount Gibson Public Benefit Fund

Comment:

Nil

Voting Requirements:

Absolute Majority

Officers Recommendation:

Council approves the Mount Gibson Public Benefit Trust committee decisions and allocate the funding to:

- Perenjori Cricket Club - \$4160
- Perenjori Community Resource Centre - \$30,000
- Latham Bowls Club – \$2922.50
- Perenjori Bowling Club - \$13,510
- Teach, Learn, Grow Project - \$1500

COUNCIL RESOLUTION

Moved: Cr P Waterhouse

Seconded: Cr J Hirsh

Council approves the Mount Gibson Public Benefit Trust committee decisions and allocate the funding to:

- **Perenjori Cricket Club - \$4160**
- **Perenjori Community Resource Centre - \$30,000**
- **Latham Bowls Club – \$2922.50**
- **Perenjori Bowling Club - \$13,510**
- **Teach, Learn, Grow Project - \$1500**

Carried 9/0

12114.2 MOUNT GIBSON PUBLIC BENEFIT TRUST – DELEGATION OF POWERS

APPLICANT: SHIRE OF PERENJORI

FILE: ADM0430

DISCLOSURE OF INTEREST: 0

AUTHOR: SAM PARKER - CDO

RESPONSIBLE OFFICER SAM PARKER - CDO

REPORT DATE: 8th November 2012

ATTACHMENTS Nil

Executive Summary:

To seek permission from council to delegate authority to the Mount Gibson Public Benefit Trust funding committee.

Applicants Submission:

The Shire negotiated a \$100,000 donation per year to be distributed to community groups and projects that will provide a benefit to the Shire of Perenjori. The funding will be distributed in two \$50,000 rounds per year.

The committee, comprising of the Shire President, Community Development Officer, Community member and two Mount Gibson Mining representatives.

Request to have delegated authority for decision making to the Mount Gibson Public Benefit Trust Committee.

Background:

Council supported this initiative at it's April meeting 2011 with the following agreed upon:

3 PUBLIC BENEFIT FUND

3.1 *Subsequent to the Date of Execution, Perenjori will establish a special purpose bank account for the Public Benefit Fund.*

3.2 *During the Term, MGM will contribute \$50,000 to the Public Benefit Fund every 6 months in arrears.*

3.3 *The annual contribution specified in clause 3.2 relates to the mining of Hematite Ore from the Extension Hill Iron Ore Project.*

3.4 *Payments out of the Public Benefit Fund will be subject to the majority approval of a committee comprising:*

(a) *the Perenjori Shire President or in his absence the Perenjori Shire Deputy President;*

(b) *a resident living within the jurisdiction of Perenjori, as selected by Perenjori; and*

(c) *the MGM Representative.*

- 3.5 *Payments out of the Public Benefit Fund must only be made for the public benefit of the citizens of Perenjori.*

Whilst Council supported these actions there was not a delegation of authority of decision making to the committee by an Absolute Majority. This would require then the committee making recommendations to Council for endorsement.

As per the Local Government Act 1995, Part 5.16 Council can delegate some powers and duties to certain committees. An absolute majority is required. It is therefore proposed that Council delegate powers to the committee to make decisions regarding funding amounts in accordance with the fund guidelines.

The first meeting of the Mount Gibson Public Benefit Trust was held on Monday 5th November 2012 to discuss the merits of each application and make awards for funding. Decisions were made and now need endorsement by Council to proceed with releasing funds.

Statutory Environment:

Local Government Act 1995 Refer 5.16 – The delegation of some powers and duties to certain committees

Policy Implications:

NIL

Financial Implications:

NIL

Strategic Implications:

NIL

Consultation:

Applicants, committee members of the Mount Gibson Public Benefit Fund

Comment:

This proposal would enable funding to be distributed quicker to community groups and would ensure the committee did comply with the Local Government Act 1995.

Voting Requirements:

Absolute Majority

Officers Recommendation:

Council delegate powers of decision making for the allocation of Mount Gibson Public Benefit Trust Funds to the Mount Gibson Public Benefit Trust Committee in accordance with the funding guidelines.

COUNCIL RESOLUTION

Moved: Cr H Wass

Seconded: Cr L Butler

Council delegate powers of decision making for the allocation of Mount Gibson Public Benefit Trust Funds to the Mount Gibson Public Benefit Trust Committee in accordance with the funding guidelines.

Carried 9/0

12115 PLANT & WORKS**12115.1 ROAD MAINTENANCE OCTOBER**

APPLICANT:	KEN MARKHAM – WORKS SUPERVISOR
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	KEN MARKHAM – WORKS SUPERVISOR
RESPONSIBLE OFFICER	KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE:	31st October 2012
ATTACHMENTS	MAP

Executive Summary:

Listed are the roads graded for the month of October.

Applicants Submission:

Olden rd	McDonald rd
Morawa Sth rd shoulders	Liebe rd
Boundary rd shoulders	Iona rd
Maya East rd shoulders	Tremlett rd
Old Perth rd	Hirsch rd
Cannon rd	Taylors rd
Caron rd	Forte rd
James rd	Waterhouse rd
Coorow Maya rd	Waites rd
Muriels Lane	

Background:**Statutory Environment:**

Local Government Act 1995 S3.1 – the general function of Local Government is to Provide for the good government of people in its district.

Policy Implications: Nil

Financial Implications:

As per Council's Road Maintenance Budget

Strategic Implications:

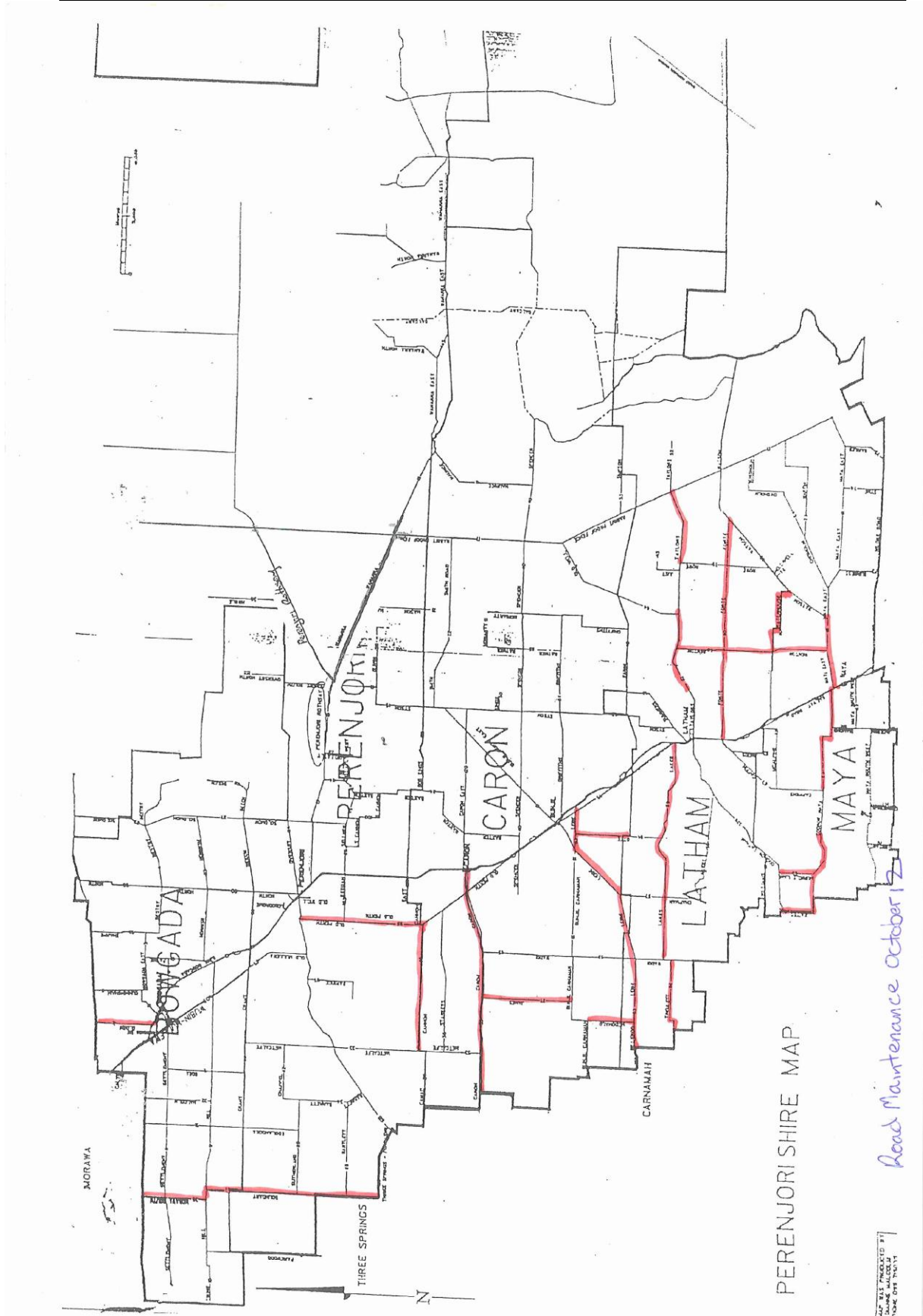
To maintain roads to a standard

Consultation: Nil

Comment: Nil

Voting Requirements: Nil

Officers Recommendation: Nil



12115.2 2012/13 ROAD PROGRAMME

APPLICANT:	KEN MARKHAM – WORKS SUPERVISOR
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	KEN MARKHAM – WORKS SUPERVISOR
RESPONSIBLE OFFICER	KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE:	31st October 2012
ATTACHMENTS	2012/13 Road Programme

Executive Summary:

The 2012/13 road programme is one of the largest the Council have ever endeavoured to undertake. There are some concerns that we may not be able to deliver the program.

The Works Supervisor's plan has always been to engage Contractor's to assist with the program to ensure that it gets done.

Applicants Submission:

The estimated time frames for the projects in the 2012/13 road program add up to approximately 140 days required to complete. There are about 100 days remaining (not including RDO's and a couple of weeks holidays) available to undertake the works.

By engaging Contractors to assist with works we should be able to complete the program. The main area is in gravel carting, so with an extra 3 – 4 trucks on each project we would triple our daily output.

A couple of years ago we had two projects running simultaneously and this option is also viable.

Background:**Statutory Environment:**

Local Government Act 1995 S3.1 – the general function of Local Government is to Provide for the good government of people in its district.

Policy Implications: Nil

Financial Implications:

Strategic Implications:

Consultation: Nil

Comment: Nil

Voting Requirements: NIL

Officers Recommendation: NIL

12115.3 DISCUSSION AND INFORMATION

- **Guttering needs replacing on hall at Latham** – Building Maintenance Officer and Works Supervisor inspected. Has been measured and currently obtaining a price.
- **Kerbing on main street of Latham** – Damaged by vehicle. Works Supervisor has inspected. Will repair when have machine their doing fire breaks for FESA.
- **Light towers at Latham Bowls Club** – Towers were inspected, serious rust to bolts that connect to footing. Have attached reo support to pole and formed up to pour concrete to stabilise tower.
- **Repairs to 160 John st** – Fence has been repaired. Waiting for door closer and tap seats to arrive for other issues.
- Several roads in the Shire had some damage to them from Thursday afternoon's storm. Graders have been dispatched to areas and repairs being undertaken.
- Construction work is starting on Stan Cannon road as per road program. Several sources of gravel are still needed to obtain the necessary requirements for this years program.
- **Perenjori Bowling green** – Due to circumstances, the paver for the bowling green cannot make it to Perenjori until the 19th November (at this stage). Australian Bowls construction have recommenced some works on the Bowling green and are expected back this week.

Works Supervisor to contact paver to discuss an earlier date with possibility of locating another paver, also to contact Australian bowls company to ask them to continue with works regardless of paving having been done or not.

The Perenjori Bowling club applied for funding through the Mt Gibson Community Grants fund and have been successful in obtaining funds to have the fencing supplied and erected. This will leave the Bowls club having to come up with a solution/ funding for the shelters.

- **Street Planter boxes** - The street planter boxes purchased and put in place along the main street footpath for the Centenary are creating some issues. One has already been hit by a vehicle and the others are in the line of fire to be hit, damaging them our peoples cars. The other issue is that they need to be manually watered. The options are to remove them from the street, push them back to the property line (which may create a hazard for pedestrians and cyclists) or disperse them to other areas of the town where they can be connected to reticulation.
- The vegetation on Perenjori Rothsay rd from the highway to Mt Gibson railsiding was raised.

12116 GOVERNANCE

Cr C King declared an Impartiality interest in item 12116.1.

Motion

Moved: Cr L Butler

Seconded: Cr J Cunningham

That Cr C King be allowed to stay in the chambers but not allowed to vote.

Carried 8/0

12116.1 SUPPORT FOR COLLABORATIVE ENERGY EFFICIENT FUNDING

APPLICANT:	NORTHERN AGRICULTURAL CATCHMENTS COUNCIL (NACC)
FILE:	ADM0160
DISCLOSURE OF INTEREST:	0
AUTHOR:	ALI MILLS - CEO
RESPONSIBLE OFFICER	ALI MILLS - CEO
REPORT DATE:	15th November 2012
ATTACHMENTS	NACC Proposal

Executive Summary:

This report recommends that Council support the Lite Energy Initiative and commit in-kind support as requested.

Applicants Submission:

In the aim of achieving outcomes for regional organisations through realising energy efficiency benefits the Northern Agricultural Catchments Council (NACC) is making a widespread call for collaboration in seeking funding through the Energy Efficiency Information Grants Program (EEIGP) and ongoing delivery of this initiative. Cash and/or in kind support is being requested.

Background:

Mark Canny, Climate Change Coordinator has provided information to Council in the attachments on funding available and the opportunity for Perenjori to be a part of a regional approach. The Energy Efficiency Information Grants Program (EEIGP) is a \$40 million merit-based, competitive grants program established by the Commonwealth Government to assist industry associations and non-profits provide practical, tailored energy efficiency information to small and medium enterprises and community organisations.

Regional Focus and Outcomes

The LITE Energy Initiative is proposed to focus on a number of regional locations. The current proposed locations are listed below but are not limited to them. Final locations will be based on commitment from regional centres with a hub and spoke model of delivery to neighbouring centres.

- City of Greater Geraldton (Geraldton)

- Shire of Morawa (Morawa)
- Shire of Irwin (Dongara)
- Shire of Dandaragan (Jurien Bay)

LITE Energy Initiative will enable energy efficiency and cost reduction opportunities to organisations through:

- Delivery of localised information, guides, seminars/ workshops and webinars
- Energy audits and action recommendation reports to key organisations
- Use of energy monitoring equipment and assessment tools
- Collaboration, multimedia and social networking technologies
- Direct organisation consultation support services
- Capacity building energy officer training and networking sessions
- Local case studies, sustainability marketing and success recognition
- Linkages to sustainability services, goods and infrastructure providers

Commitments Sought

In the aim of achieving larger altruistic outcomes for regional organisations through realising energy efficiency benefits the Northern Agricultural Catchments Council (NACC) is making a widespread call for collaboration in seeking funding through the Energy Efficiency Information Grants Program (EEIGP) and ongoing delivery of this initiative. The following is being requested from the Shire of Perenjori:

- Cash and In kind sponsorship in return for key marketing and recognition outcomes for driving energy efficiency adoption in the region
- Locations for delivering training and workshops for small and large groups
- Transport(Bus) and Catering
- Promotional and marketing support and advice through your networks
- Creation, organisation and delivery of materials (video, print and electronic)
- Presenters/facilitators skilled in energy auditing and energy efficiency measures, behaviour change programs and community engagement, business planning and economic drivers
- Small to medium enterprises, not for profit organisations and community groups keen to be participants and/or be case study examples in this program to showcase and educate.
- Site locations/examples to visit and showcase
- Engaging ideas and activities to increase awareness and adoption of energy efficiency
- Letters of support.

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

If Council determines to make a cash contribution this will need to be identified in the budget.

Strategic Implications: Nil

Consultation:

North Midlands Shires

Comment:

This Shire has had an interest in energy efficiency measures with this initiative providing an opportunity to involve the community increasing education and awareness. The in kind commitment requested is minimal and could be supported by the Community Development Officer position.

With regards to a cash contribution Council may wish to do this, as an unexpected expenditure item funds would need to be identified. Alternatively Council's Community Development Officer could provide information regarding the Mt Gibson Community Funds for funding for a project specific to Perenjori.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council commit to providing the in kind assistance as requested to support Northern Agricultural Catchments Council (NACC) to source funds from the Energy Efficiency Information Grants Program (EEIGP) and ongoing delivery and implementation of the Lite Energy Initiative.

COUNCIL RESOLUTION

Moved: Cr J Hirsch

Seconded: Cr G Reid

That Council commit to providing the in kind assistance as requested to support Northern Agricultural Catchments Council (NACC) to source funds from the Energy Efficiency Information Grants Program (EEIGP) and ongoing delivery and implementation of the Lite Energy Initiative.

Carried 9/0

12116.2 PERMISSION TO COLLECT NATIVE SEED

APPLICANT:	E-SCAPES ENVIRONMENTAL
FILE:	ADM 0159
DISCLOSURE INTEREST:	OF 0
AUTHOR:	ALI MILLS – CEO
RESPONSIBLE OFFICER	ALI MILLS – CEO
REPORT DATE:	15TH November 2012
ATTACHMENTS	Letter of Request

Executive Summary:

Escapes Environmental is seeking permission to collect native seeds on Perenjori Shire reserves and road verges.

Applicants Submission:

Tim Emmott of E-Scapes Environmental who has been contracted to collect native seed for revegetating properties in the north and east of the shire using local provenance seeds and has sought permission to collect native seed on shire reserves and road verges.

Background:

Tim Emmott, through E-Scapes Environmental, received permission to collect seed in 2011 from roads and reserves managed by the Shire of Perenjori.

Statutory Environment:

Local Government Act 1995 S3.1 – the general Function of Local Government is to provide for the good government of people in its district.

Policy Implications:

Council's policy 6002 states:

Permission to collect flora (including fire wood and seed harvesting) from land under control of Council (i.e. road reserves, vested reserves, freehold etc.) may only be granted by resolution of Council, and will be subject to the applicant obtaining the necessary approval from the Department of Environment and Conservation or its successor.

Financial Implications: Nil

Strategic Implications: Nil

Comment:

Seed is most prolific on road verges as a result of additional water runoff from roads. Any seed collected is retained within the region for the purpose of revegetation and biodiversity protection.

The CEO recommends that permission is granted subject to the following conditions:

Permission is subject to the following conditions:

- *That seed collectors have the necessary license from the Department of Environment and Conservation;*
- *That permission is obtained from landholders for collection on private land.*
- *That seed is limited to 20% of the seed from any specimen.*
- *That collectors maintain records of locations where seed is collected so that particular areas are not over utilised.*

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council grants permission for E-Scapes Environmental to collect native seeds on Shire of Perenjori reserves and road verges subject to the following conditions:

- That seed collectors have the necessary license from the Department of Environment and Conservation;
- That permission is obtained from landholders for collection on private land.
- That seed is limited to 20% of the seed from any specimen.
- That collectors maintain records of locations where seed is collected so that particular areas are not over utilised.

COUNCIL RESOLUTION

Moved: Cr G Reid

Seconded: Cr H Wass

That Council grants permission for E-Scapes Environmental to collect native seeds on Shire of Perenjori reserves and road verges subject to the following conditions:

- **That seed collectors have the necessary license from the Department of Environment and Conservation;**
- **That permission is obtained from landholders for collection on private land.**
- **That seed is limited to 20% of the seed from any specimen.**
- **That collectors maintain records of locations where seed is collected so that particular areas are not over utilised.**

Carried 9/0

12116.3 NORTH MIDLANDS REGIONAL GENERAL PRACTICE MODEL

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM0312
DISCLOSURE OF INTEREST:	0
AUTHOR:	ALI MILLS - CEO
RESPONSIBLE OFFICER	ALI MILLS - CEO
REPORT DATE:	15th November 2012
ATTACHMENTS	Memorandum of Understanding

Executive Summary:

This report recommends that Council commit to being a signatory to the proposed Memorandum of Understanding (MOU) governing the *North Midlands Regional General Practice Model*.

Background:

Since March 2010, *Rural Health West* has been coordinating a regional approach towards addressing future general practitioner services to service the Shires of Morawa, Perenjori, Coorow, Carnamah, Three Springs and Mingenew. ("The region").

Since that time further meetings with representatives from the Shires involved and Rural Health West, have determined that an optimum model for the region would be to have two doctors working out of Three Springs and two doctors out of Morawa. It is believed that the proposed model will help bring stability and sustainability to the North Midlands region. Once the model is implemented, it should be easier to recruit doctors through a regional medical provider, rather than continue to recruit individual doctors as has been the situation over the last 20 years or so.

In September 2011, the six participating Shires allocated funding towards the preparation of a business plan for the Midwest Primary Care Project. The intent of this plan is to determine the viability, infrastructure requirements and financial implications of implementing a primary care model where two doctors would work out of Morawa and two doctors would work out of Three Springs.

Mr Tim Shackleton of *Virtual Health* was engaged to carry out this exercise and on the 22nd October 2012 made a power point presentation to the group which summarised the progress and essential elements of this proposal. Some extracts from this PowerPoint presentation are provided hereunder:

PROJECT AIMS:

1. Reduce barriers to entry and create a commercial environment that will **attract a regional private practice** to the North Midlands,
2. Support the provision of sustainable and contemporary primary care to North Midlands communities,
3. Enable local government to take a **more appropriate role** in medical service support with **limited financial exposure**.

PROJECT OUTPUTS

1. MOU between Shires,
2. Implementation Plan,
3. Draft contract between Shires and regional medical service provider.

ROLE STATEMENT

Working with partner agencies, North Midlands Shires support the provision of a commercial environment and lifestyle that is attractive to GPs seeking to establish and maintain sustainable and contemporary general practice in rural WA.

VOLUME OF SERVICES

Shire	Shire Population	Town Population	Proposed Sessions Per Week
Morawa	894	655	8
Three Springs	616	391	8
Carnamah	564	430	1
Eneabba	-	118	1
Coorow	1067	161	1
Leeman/Greenhead	-	356	2
Perenjori	904	184	3
Mingenew	480	275	2
Total	4525	2570	26

BENEFITS PACKAGE**Housing:**

- 2 houses in Morawa and 2 in Three Springs
- Tenancy agreement
- 4x2 executive home
- Carport and garage
- Utilities – up to a cap to be determined
- Phone – connection and rental but not call costs
- Gardening – limited service
- Rent – nominal
- Locums – housing for locums to be provided by regional provider

Motor vehicles:

- 2 cars in Morawa and 2 cars in Three Springs
- Usage agreement
- Model/make – flexible
- Standard – up to equivalent of Holden Berlina
- FBT – covered by Shires
- Fuel – covered by Shires
- Maintenance – covered by Shires
- Rego and insurance – covered by Shires
- Limitations on use – within WA only
- Locums – cars for locums to be provided by regional provider

Medical equipment:

- Shires will provide and maintain a “basic” range of medical equipment for Morawa and Three Springs. List to be determined.

Medical equipment:

- Shires will provide and maintain a “basic” range of medical equipment for Morawa and Three Springs. List to be determined.

Notional Annual Cost Summary	
Housing	\$120,200
Cars	\$60,000
Clinic facilities	\$160,800
ICT	\$15,000
Total	\$346,000

COST SHARING

Shire	Session per week	Session per annum	Proportionate annual cost	% of total cost
Morawa	8	400	\$109,600	30.8
Mingenew	2	100	\$27,400	7.7
Perenjori	3	150	\$41,000	11.5
Three Springs	8	400	\$109,600	30.8
Carnamah Eneabba	1 1	50 50	\$27,400	7.7
Coorow Leeman/Greenhead	1 2	50 100	\$41,000	11.5
Total	26	1300	\$356,000	100%

GOVERNANCE

- CEOs form Contract Management Committee within bounds of MOU,
- Appoint one of number to be contract manager:
- Primary contact point for service provider
- Organise meetings of CMT
- Complaints and concerns etc.

NEXT STEPS

1. Tim to send draft MOU, Implementation Plan and Contract to CEOs for review and invite feedback – teleconference.
2. Tim to edit documents according to feedback,
3. CEOs to consider progressing to Business Case for funding and/or approach to market.

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

\$41,000 per annum which would need to be budgeted for on a recurrent basis.

Strategic Implications:

Nil.

Consultation:

Representatives of the six participating Shires in the North Midlands region.

Ms Belinda Bailey – CEO – *Rural Health West*

Ms Kelli Porter – manager Workforce Development – *Rural Health West*

Mr Tim Shackleton – Principal – *Virtual Health*

Comment:

A Draft MOU is attached which outlines the governance arrangements of the proposed *North Midlands Regional General Practice* and the commitments and obligations of participating Shires. There may be some minor amendments to the final MOU.

The next significant step in the process is for a business case to be compiled and used as a document to guide the implementation of the model.

It is probable that implementation will be effectively commenced when one of the doctors currently practicing in Three Springs or Morawa leave the area. Implementation may need to be a two stage process and will be largely dependent on the new doctors being prepared to run the practice/s in a private capacity, rather than on a salaried basis. Implementation will only occur if a doctor does leave not jeopardizing the current arrangements each community has.

All participating Shires are cognisant of the extreme shortage of doctors in rural and remote areas and the acute imbalance between supply and demand which makes it very challenging to recruit and retain doctors in such a competitive environment. The strength of the proposed regional model is that it will provide doctors opportunity to practice in an environment where mutual support exists, sufficient cover to allow regular leave and professional development pursuits and a framework of administrative support and other benefits such as housing and vehicles. Doctors will be less likely to “burn out” than they would if they practiced in a sole capacity. The Shires and their communities will benefit from being able to more easily recruit doctors, have consistency in service delivery and having a better chance of retaining this critical access to primary health care in perpetuity.

From Perenjori’s perspective, the model will serve the needs of the community at a reasonable quantified (cash and in-kind) cost of \$274.00 per weekly 3 hour session or \$41,000 per annum. Three sessions will be scheduled equating to 1.5 days of doctor service per week. Across the six shires Perenjori’s proportion of the costs are calculated at 11.5% of the total cost of delivering the project currently being \$356 000 which will remain constant as negotiations are finalized with a provider. The current budget allocation from Council supporting the conduct of a Health service is a total of \$70 458 including \$16 500 of depreciation and administration allocations. Council needs to be mindful that elements and total worth of the benefits package may change as negotiations commence with a provider as well as needing to be adjusted over time.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council commit to being a signatory to the proposed Memorandum of Understanding governing the North Midlands Regional General Practice Model.

COUNCIL RESOLUTION

Moved: Cr J Cunningham

Seconded: Cr J Hirsch

That Council commit to being a signatory to the proposed Memorandum of Understanding governing the North Midlands Regional General Practice Model.

Carried 9/0

12116.4 APPLICATION FOR FUNDS FOR IMPLEMENTATION OF CAT ACT

APPLICANT: SHIRE OF PERENJORI**FILE:****DISCLOSURE OF INTEREST: 0****AUTHOR: ALI MILLS – CEO****RESPONSIBLE OFFICER ALI MILLS – CEO****REPORT DATE: 15TH November 2012****ATTACHMENTS Nil****Executive Summary:**

The Department for Local Government has made available funds for local governments to assist with the implementation of the Cat Act.

Applicants Submission:

To apply to the Department of Local Government for funds to enable the Shire of Perenjori to be equipped to implement the Cat Act.

Background:

The *Cat Act 2011* received Parliamentary assent on 9 November 2011. This Act will be implemented through a two phases approach;

Phase One by 1 November 2012; and
Phase Two by 1 November 2013.

The development of this legislation follows extensive public consultation in July 2010, through the release of a consultation paper seeking input on the proposed legislation. Five hundred and ninety (590) submissions were received during the consultation period, with overwhelming support (84%) given for the introduction of all three key elements proposed in the consultation paper:

- Compulsory identification through microchipping;
- Compulsory registration; and
- Compulsory sterilisation.

While research indicates that legislation will not resolve all problems associated with cats, it will provide the mechanism to:

- Encourage responsible cat ownership;
- Reduce the number of unwanted cats being bred;
- Allow for cats found in a public place or on private property to be seized; and
- Allow for reuniting of lost cats with their owners.

The Shire of Perenjori has the opportunity to apply for funding which is available for three areas including:

- Cat management facilities
- Miscellaneous costs, and
- Sterilisation

A total of \$4,741 is being applied for to assist with costs of establishing a Cat Management facility, miscellaneous equipment, and a Cat Sterilisation program.

Statutory Environment:

The Shire of Perenjori will be required to implement the Cat Act 2011 in November 2013.

Policy Implications:

Nil

Financial Implications:

An allocation of \$7530 in the 2013/14 Budget

Strategic Implications:

Nil

Comment:

Councils contract Ranger services has prepared the application for funding which will ensure the Shire meets requirements of the Act, ready for November 2013. Whilst numbers will be minimal in Perenjori it is still a requirement to be equipped to implement the Act in 2013.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council supports the application of funds of \$4,741 to the Department of Local Government under the Cat Implementation Grant Program 2012-13.

COUNCIL RESOLUTION

Moved: Cr J Hirsch

Seconded: Cr G Reid

That Council supports the application of funds of \$4,741 to the Department of Local Government under the Cat Implementation Grant Program 2012-13.

Carried 9/0

12117 OTHER BUSINESS

12117.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS

- NACC Newsletter
- National Awards for Local Government 2013
- WALGA Local Government News Issue No 42.12
- RDAF Rounds 3 and 4 – Email 24 October 2012
- Rural Health Matters Spring 2012 Issue 22

12117.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

12117.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

12117.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Cr C King approved items 12117.4.1 Midwest Regional Council Establishment Agreement Revisited and 12117.4.2 Extractive Industry Law are accepted as urgent business.

COUNCIL RESOLUTION

Moved: Cr J Cunningham

Seconded: Cr G Reid

The Items 12117.4.1 Midwest Regional Council Establishment Agreement Revisited and 12117.4.2 Extractive Industry Law are accepted as urgent business.

Carried 9/0

12117.4.1 MIDWEST REGIONAL COUNCIL ESTABLISHMENT AGREEMENT REVISITED

APPLICANT:	SUZANNE WARD – CEO MIDWEST REGIONAL COUNCIL
FILE:	ADM 0070
DISCLOSURE OF INTEREST:	0
AUTHOR:	ALI MILLS – CEO
RESPONSIBLE OFFICER	ALI MILLS – CEO
REPORT DATE:	15 TH November 2012
ATTACHMENTS	Nil

Executive Summary:

The purpose of this report is for Mid West Regional Council (MWRC) participants to consider the implications of the notice of withdrawal by the Three Springs Shire Council on the proposed “new” Establishment Agreement.

Applicants Submission:

To support recommendations which prevent the need for a re-submission of the Shire of Three Springs to MWRC to withdraw from the Council.

Background:

At the MWRC meeting held 2 October 2012, Council endorsed the “new” Establishment Agreement and it was then to be adopted by each member council.

Moved Cr Chappel Seconded Cr Treloar

a.

Council endorse the Establishment Agreement as presented and the CEO be authorised to forward to member councils for adoption.

C

b.

F

Following consideration by member councils, MWRC CEO be authorised to forward the Establishment Agreement to Civic Legal for further amendment (if requested) or in the event no amendments are requested, the MWRC CEO is to provide the MWRC Establishment Agreement to the Minister for Local Government for approval.

CARRIED 4/0

MINUTE REF: 10/12-5

A subsequent report during the meeting resulted in a resolution to accept the Shire of Three Springs notice of withdrawal.

Moved Cr King Seconded Cr Chappel

That the MWRC accept the notice of withdrawal submitted by the Shire of Three Springs in accordance with Sections 15.1 and 15.2 of the Mid West Regional Council Establishment Agreement to take effect 1 July 2014.

CARRIED 4/0

MINUTE REF: 10/12-6

Following the MWRC meeting on 2 October 2012, I sought legal advice as to how the notice of withdrawal by the Shire of Three Springs Council (which was provided) under the “old” Establishment Agreement would impact on the “new” Establishment Agreement.

I also suggested the wording of Clause 7b (*The MWRC may terminate the appointment of the Chief Executive Officer at any time.*) could be improved to avoid the potential to seek costly legal advice should the situation ever arise.

The legal advice received from Greg Mohen at Civic Legal is as follows:

“Clause 7b as it stands does not over-ride the statutory and contractual obligations of the MWRC as an employer. To make this clear for all member Local Governments I have amended the clause to read “The MWRC may terminate the appointment of the Chief Executive Officer at any time subject to the MWRC complying with any Written Law or contract relating to the employment of the Chief Executive Officer.” An amended version of the agreement is attached.

In regard to the notice given by Three Springs, this gives rise to the following issues:

- *As Three Springs have given notice of their intention to withdraw, it will be necessary to either:

 - a) *Amend the format of the new agreement to make it an amendment of the current agreement, so that there is continuity of the MWRC during the notice period. In particular clause 1 will need to be changed so that instead of revoking the original agreement, the clause should**

- provide that the original agreement is varied by the new agreement ;*
or
 b) *Amend the deed to make it clear that Three Springs is only a member until 30 June 2014 when the Three Springs financial obligations to the MWRC will end pursuant to their notice of withdrawal.*
- *If you proceed with the agreement in its current form and Three Springs executes it unchanged, then arguably Three Springs would have to issue a new notice of intention to withdraw from the new Council created by the new agreement.”*

Statutory Environment:

The Local Government Act 1995 provides the requirement and content for a Regional Council Establishment Agreement.

The Establishment Agreement is to be adopted individually by each participating Council.

Policy Implications: Nil**Finance Implications:**

The difference between withdrawing under the “old” Establishment Agreement as opposed to withdrawing under the “new” agreement is particularly relevant to the financial obligations of withdrawing councils.

“Old” Agreement**13.4 Entitlement or liability of withdrawing Participant**

When the withdrawal of a Participant takes effect:

- (a) The Participant is entitled to be paid an amount equal to the Proceeds and any surplus funds which would have been payable if the MWRC was wound up; or
- (b) The Participant must pay to the MWRC an amount equal to the liability or debt which would be payable by the Participant if the MWRC was wound up.

“New” Agreement**15.3 Entitlement or liability of withdrawing Participant**

When the withdrawal of a Participant takes effect the Participant must continue to pay to the MWRC annual contributions at the financial year commencement for the following two consecutive years after the withdrawal.

Strategic Implications:

Nil

The Review of the Establishment Agreement has come about through the desire of the member Councils to examine the Establishment Agreement following 4 years of operating to ensure the agreement remains relevant to current needs.

Comment:

Comments in the Financial Implications section below further explain the consequences of Three Springs Shire Council withdrawal under the “old” as opposed to the “new” agreement.

Taking into account the above legal advice and the financial implications, it is anticipated Three Springs Shire Council would not adopt the new agreement in its current form, therefore my recommendation is:

To amend the new agreement to make it clear that Three Springs Shire Council withdrawal notice was submitted under the provisions of the previous Establishment Agreement and they are only a member until 30 June 2014 when the Three Springs financial obligations to the MWRC will end pursuant to their notice of withdrawal. I also recommend a further amendment to allow a notice of withdrawal to be revoked by the withdrawing Local Government at any time before the effective date of withdrawal.

Voting Requirements:

Simple Majority

Officers Recommendation:

That council advise the Mid West Regional Council:

- a) The new agreement should be amended to make it clear that Three Springs Shire Council withdrawal notice was submitted under the provisions of the previous Establishment Agreement and they are only a member until 30 June 2014 when the Three Springs financial obligations to the MWRC will end pursuant to their notice of withdrawal; and
- b) A further amendment should be made to allow a notice of withdrawal to be revoked by the withdrawing Local Government at any time before the effective date of withdrawal; and
- c) Following inclusion of the above amendments into the “new” Mid West Regional Council Establishment Agreement, the final draft be brought back to Council for adoption.

COUNCIL RESOLUTION

Moved: Cr R Desmond

Seconded: Cr H Wass

That council advise the Mid West Regional Council:

- a) The new agreement should be amended to make it clear that Three Springs Shire Council withdrawal notice was submitted under the provisions of the previous Establishment Agreement and they are only a member until 30 June 2014 when the Three Springs financial obligations to the MWRC will end pursuant to their notice of withdrawal; and**
- b) A further amendment should be made to allow a notice of withdrawal to be revoked by the withdrawing Local Government at any time before the effective date of withdrawal; and**
- c) Following inclusion of the above amendments into the “new” Mid West Regional Council Establishment Agreement, the final draft be brought back to Council for adoption.**

Carried 9/0

12117.4.2 EXTRACTIVE INDUSTRY LAW

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	Ali Mills - CEO
RESPONSIBLE OFFICER	Ali Mills - CEO
REPORT DATE:	15th November 2012

ATTACHMENTS**Executive Summary:**

To seek Council endorsement for the commencement of the process for adoption of a new local law, Extractive Industry Local Law.

Applicants Submission:

An extractive Industry Local Law will allow Council to license the extraction of materials from land in the Shire of Perenjori and in particular:

- Control the impacts that result from these activities and
- Recover costs where these activities result in damage to shire roads

Background:

At its March Ordinary council meeting the following resolution was adopted:

That Council commence the process for making an Extractive Industry Local Law based on the Shire of Cunderdin Local Law gazetted in January 2012.

Furthermore at the October 2012 meeting the following resolution was adopted:

That the process for adopting the Extractive Industry Local Law be carried out as per Council Resolution 12036.4.5 dated 15th March 2012.

A public advertisement had occurred on 3rd May 2012, in the West Australian providing information on the Shires intention to make the Local Law, and where people could access the proposed Law information and where submissions could be made. The next step is 42 days proceeding the advert date, which requires a letter to be sent to the Minister of Local Government advising of the Shires intentions and a copy of the notice as it appears in the state paper. This step did not occur and due to the time lapse the Delegation Legislative Committee has advised the process needs to recommence from Council's minutes stating the proposed law, purpose and effect and the section of the Local Government Act.

The Extractive Industry Local Law, will provide the control measures to enable the Shire of Perenjori to manage the extraction of materials from land within the Shire. This will require individuals and organisations to apply to the Shire of Perenjori for a licence if they wish to extract any materials from land within the Shire.

Statutory Environment: Local Government Act, Section 3.12

Policy Implications: Nil

Financial Implications: Nil

Consultation:

WALGA, Department Local Government, Delegation Legislation Committee

Comment:

Whilst the process has been delayed due to changes at the CEO level, the recommendations presented previously are not sufficient to meet the requirements as laid out by the Department of Local Government. Advice has been sought which has indicated the assessment process for endorsing Local Governments applications is very stringent with a requirement to adhere to the steps, wording and actions as stated. Therefore the need to recommence the process to ensure each step is adhered to providing us with a strong chance of having the Local Law approved.

Voting Requirements:

Simple Majority

Officers Recommendation:

The Shire of Perenjori commence the process for making the Extractive Industry Local Law as per the Local Government Act 1995, Section 3.12.

COUNCIL RESOLUTION

Moved: Cr R Desmond

Seconded: Cr L Butler

The Shire of Perenjori commence the process for making the Extractive Industry Local Law as per the Local Government Act 1995, Section 3.12.

Carried 9/0

12117.5 MATTERS BEHIND CLOSED DOORS

7.51pm all staff left the Council Chambers.

8.00pm all staff re-entered the Council Chambers.

12117.5.1 CONFIDENTIAL ITEM APPOINTMENT OF ACTING CEO

APPLICANT: SHIRE OF PERENJORI

FILE: 0

DISCLOSURE OF INTEREST: 0

AUTHOR: ALI MILLS - CEO

RESPONSIBLE OFFICER: ALI MILLS - CEO

REPORT DATE: 15TH November 2012

**CONFIDENTIAL ITEM; Sect.
5.23 of the Local
Government Act 1995**

ATTACHMENTS: Confidential

Officers Recommendation:

That Council appoint Barrye Thompson to the position of Acting Chief Executive Officer in accordance with the terms and conditions of the employment contract.

COUNCIL RESOLUTION

Moved: Cr G Reid

Seconded: Cr J Hirsch

That Council appoint Barrye Thompson to the position of Acting Chief Executive Officer in accordance with the terms and conditions of the employment contract.

Carried 9/0

12117.5.2 CONFIDENTIAL ITEM REIMBURSEMENT PAYMENT TO TENANT**APPLICANT:** Helen Scott – CO2 Algae Pty Ltd**FILE:** ADM0160**DISCLOSURE OF INTEREST:** 0**AUTHOR:** ALI MILLS - CEO**RESPONSIBLE OFFICER** ALI MILLS - CEO**REPORT DATE:** 15TH November 2012**CONFIDENTIAL ITEM; Sect.
5.23 of the Local
Government Act 1995****ATTACHMENTS;** Nil**Officers Recommendation:**

That Council:

1. Offer a one off payment of \$10 000 to Helen Scott as a contribution to infrastructure installed on Lot 163 England Crescent Perenjori, with the following conditions:
 - the offer is one off and final, with no further claims to be made by the tenant to the Shire of Perenjori in relation to Lot 163 England Crescent
 - all items belonging to the tenant are to be removed from site within 30 days of acceptance of this offer
 - the lot remains as is and no further restoration/ remedial works are required to be undertaken by the tenant.
2. Endorse a budget variation of \$10 000, to be taken from account 4200(Administration salaries) with an increase of \$10 000 to account 4238 (Consultant Fees).

COUNCIL RESOLUTION**Moved: Cr R Desmond****Seconded: Cr J Hirsch**

That Council:

1. Offer a one off payment of \$10 000 to Helen Scott as a contribution to infrastructure installed on Lot 163 England Crescent Perenjori, with the following conditions:
 - the offer is one off and final, with no further claims to be made by the tenant to the Shire of Perenjori in relation to Lot 163 England Crescent
 - all items belonging to the tenant are to be removed from site within 30 days of acceptance of this offer
 - the lot remains as is and no further restoration/ remedial works are required to be undertaken by the tenant.
2. Endorse a budget variation of \$10 000, to be taken from account 4200(Administration salaries) with an increase of \$10 000 to account 4238 (Consultant Fees).

Carried 9/0

8.15pm - Cr L Smith left the Council Chambers.

8.17pm - Cr L Smith re-entered the Council Chambers.

Information Bulletin discussed

12117.6 DATE OF NEXT MEETING / MEETINGS

The next Ordinary Council Meeting will be held on the 20th December 2012.

12117.7 CLOSURE

With no further business the meeting was officially closed at 8.58pm.

I certify that this copy of the Minutes is a true and correct record of the meeting held on 18th October 2012.

Signed: _____

Presiding Elected Member

Date: _____